

AGENDA MEMO

CITY COUNCIL MEETING DATE: SEPTEMBER 5, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: EOT-23631 - APPLICANT/OWNER: VERGE LIVING CORPORATION

**** CONDITIONS ****

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. This Special Use Permit (SUP-8814) shall expire on November 20, 2008 unless another Extension of Time is approved by the Planning Commission.
2. Conformance to the Conditions of Approval for Special Use Permit (SUP-8814) and all other applicable site related actions.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for an Extension of Time of an approved Special Use Permit (SUP-8814) for a proposed mixed-use commercial and residential development adjacent to the northeast corner of Main Street and Bonanza Road.

This is the first extension of time for this Special Use Permit request. The proposed extension of time is deemed appropriate given current conditions related to the subject property. Conformance to the conditions of approval for Special Use Permit (SUP-8814) and all other site related actions shall be required. Approval of this request is recommended.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
11/20/02	The City Council approved a Rezoning (Z-0046-02) to C-1 (Limited Commercial), a Special Use Permit (U-0114-02) for a multi-family senior apartment complex, a Variance to allow lot coverage in excess of 50% for a senior apartment complex, and a Site Development Plan Review [Z-0046-02(1)] for a 256-unit multi-family senior apartment complex with 20,000 square feet of commercial development on the subject property. The Planning Commission and staff recommended approval.
11/17/04	The City Council approved an extension of Time (EOT-5402) for a Rezoning (Z-0046-02) to C-1 (Limited Commercial); an Extension of Time (EOT-5404) for a Special Use Permit (U-0114-02), which allowed a multi-family senior apartment complex; and an Extension of Time (EOT-5403) for a Site Development Plan Review [Z-0046-02(1)] for a 256-unit multi-family senior apartment complex with 20,000 square feet of commercial development on the subject property.
11/02/05 *	The City Council approved a Site Development Plan Review (SDR-8649) for a mixed-use development with 296 residential units and 34,700 square feet of commercial space and waivers in building placement; street and foundation landscape standards; front, corner side, and rear yard setback requirements; and to allow a 241-foot residential adjacency setback where 249-feet from residential property is required, a variance (VAR-8651) to allow no step back where a 1:1 step back ratio is required above 35 feet, and a special use permit (SUP-8814) for a proposed mixed-use development at this location. The Planning Commission and staff recommended approval.
08/24/06	The Planning Commission approved a Tentative Map (TMP-15044) for a mixed-use subdivision consisting of 296 residential condominium units and one commercial lot. Staff recommended approval.

09/20/06	The City Council approved an Extension of Time (EOT-15724) of an approved Rezoning (Z-0046-02) from R-2 (Medium-Low Density Residential) and C-M (Commercial/Industrial) to C-1 (Limited Commercial). Staff recommended approval.
01/17/07	The City Council approved a Major Modification (SDR-18025) to an existing Site Development Plan Review (SDR-8649) for a proposed addition of a 2,600 square-foot restaurant and an addition of 40 feet in height of an approved mixed-use development and to allow a residential adjacency setback of 57 feet where 375 feet is the minimum required and a Review of Condition (ROC-18046) to allow a radius of 30 feet where 54 feet was required on the northwest corner of Bonanza Road and Main Street. The Planning Commission recommended approval of SDR-18025. Staff recommended approval of both items.
<i>Related Building Permits/Business Licenses</i>	
There are no permits or licenses related to this request.	
<i>Pre-Application Meeting</i>	
A pre-application meeting is not required, nor was one held.	
<i>Neighborhood Meeting</i>	
A neighborhood meeting is not required, nor was one held.	

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	2.87

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped	MXU (Mixed-Use)	R-2 (Medium Low Density Residential) and C-M (Commercial/Industrial) under Resolution of Intent to C-1 (Limited Commercial)
North	Shops and single-family residences	MXU (Mixed-Use) and C (Commercial)	R-2 (Medium Low Density Residential) and C-M (Commercial/Industrial)
South	Single-family residences and a parking lot	MXU (Mixed-Use) and C (Commercial)	R-4 (High Density Residential) under Resolution of Intent to C-2 (General Commercial) and C-M (Commercial/Industrial)
East	Single-family residences and an office	MXU (Mixed-Use)	R-1 (Single-Family Residential) and P-R (Professional Office and Parking)

West	Shops and industrial uses	C (Commercial)	C-M (Commercial/Industrial) and M (Industrial)
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<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan			
Downtown North Land Use Plan Area	X		Y
Redevelopment Plan Area	X		Y
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts			
A-O Airport Overlay District (200-foot)	X		Y
Trails		X	Y
Rural Preservation Overlay District		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

ANALYSIS

This is the first extension of time for this Special Use Permit request. The applicant has made progress on the proposed project in the form of a major modification to the Site Development Plan Review. This modification was approved on 01/17/07. It is also noted that an Extension of Time for the Rezoning on the property was approved on 09/20/06. Given the ongoing progress and circumstances currently occurring on the subject property this extension is deemed appropriate.

FINDINGS

The proposed extension of time is deemed appropriate given current conditions related to the subject property. Conformance to the conditions of approval for Special Use Permit (SUP-8814) and all other site related actions shall be required. Approval of this request is recommended.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED N/A

ASSEMBLY DISTRICT N/A

SENATE DISTRICT N/A

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0